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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 33rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 14 April 1999, at 3 p.m.

Chairperson: Mrs. ANDERSON (Ireland)

CONTENTS

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE:

(a) VIOLENCE AGAINST WOMEN (continued)

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (continued)

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The meeting was called to order at 3 p.m.

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE:

(a) VIOLENCE AGAINST WOMEN

(agenda item 12) (continued) (E/CN.4/1999/66, 67 and Add.1, and 68 and Add.1-4; E/CN.4/1999/NGO/8, 27, 41, 44 and 71; A/C.3/53/7 and 409; E/CN.6/1999/2)

1. Ms. TUNG (Worldview International Foundation) said that, although the military regime in Myanmar maintained that the country did not need a women's movement because women already enjoyed equal status, rape and sexual abuse of women by government soldiers and forced labour were common. Such abuses had been documented by an International Labour Organization (ILO) mission to Myanmar and by the Commission's Special Rapporteur on Myanmar. Violence against women in Myanmar was abetted by a government policy of impunity. Persons who tried to complain of rape might be beaten, tried, abused or killed. She urged the Commission to request the Special Rapporteur on violence against women to address the rights of those women who were still in Myanmar and of those who had fled to neighbouring countries. The Commission should also express its concern at the increase in violence against women there and take steps to stop it.

2. Ms. BELLAMY (International Confederation of Free Trade Unions), having commended the report of the Special Rapporteur on violence against women (E/CN.4/1999/68 and Add.1-4), said that the world economic crisis and the liberalization of market economies affected women most severely, for they were generally restricted to unskilled, underpaid and unstable jobs that endangered their health and, occasionally, their lives. Most people who worked in the informal sector, free trade zones or at home were young women. Under pressure from trade unions and non-governmental organizations (NGOs), the international community had developed instruments and legislation to combat discrimination against working women. Unfortunately, however, some unscrupulous employers continued to view women as cheap labour, with some countries going so far as to advertise their female labour forces as docile and unlikely to form unions. To combat that situation, she suggested that a new international social clause should be drawn up that would be applicable to any workplace. The application of basic labour standards should not lead the developing countries to fear for their comparative advantage but should be viewed as a means of protecting the most vulnerable workers from any form of exploitation.

3. Her organization had sought to convince the World Bank, the International Monetary Fund (IMF) and the World Trade Organization (WTO) that there could be no honest trade without labour standards. To that end it had organized various events to focus on the problems of women workers and would participate in the review of the ILO Maternity Protection Convention.

4. Trafficking in women and girls for purposes of the sex industry was a tragedy. While it was to be hoped that international police organizations could be provided with greater resources to deal with those who participated in that form of organized crime, it was ultimately the demand for such services that needed to be addressed.

5. Ms. NALTON (International Educational Development Inc.) drew attention to grave violations of women's human rights that had their basis in inadequate or biased scientific information. Many government policies and regulations promoted voluntary testing for the human immunodeficiency virus (HIV) in the hope of reducing its transmission from mother to child. In the United States of America, targets were set for testing, and states that failed to meet them would be required to impose mandatory testing of all pregnant women, a situation with frightening implications.

6. Legislation requiring mothers to administer toxic drugs or to refrain from breastfeeding in order to prevent the transmission of HIV violated women's right to make decisions regarding their own health. Removal of children from parents who failed to comply with such legislation constituted cruel, inhuman and degrading treatment. Such legislation also failed to consider established scientific information regarding the harmful nature of the drugs in question and the benefits of breastfeeding. In addition, women were often not informed of the fact that pregnancy was one of many conditions that could cause a woman to test positively for HIV antibodies.

7. Currently, immigration laws in 49 countries discriminated against persons with positive HIV test results. The international community should therefore seek clarification on the issues of the specificity of HIV testing, mother-to-child transmission, heterosexual transmission, particularly from woman to man, the causes of AIDS and the adverse effects of certain pharmaceutical treatments.

8. Ms. MIRANDA (Commission for the Defense of Human Rights in Central America) said that Central American society was eminently sexist, with a social structure that permitted violence and discrimination against women. Some 45 per cent of the female population of the region was under the age of 15 and, in all countries except Costa Rica, women bore an average of seven children. One fifth of all households were headed by women, and the unemployment rate was higher for women, who tended to work in the informal sector. The region's economic policies had led to an uneven distribution of wealth, so that poverty affected 70 per cent of the populations, particularly in rural areas.

9. She called on the Governments of the Central American countries to modify or repeal legislation that adversely affected women's rights, to incorporate the gender perspective in the administration of justice and public policy and to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. She urged all United Nations bodies to mainstream the gender perspective in their activities.

10. Ms. SMITH (International Human Rights Law Group) having commended the Special Rapporteur on violence against women on the report on her mission to the United States of America (E/CN.4/1999/68/Add.2) said that women were the fastest growing sector of the United States prison population, with most of them serving sentences for non-violent drug offences. Women prisoners were disproportionately of African-American and Hispanic origin. They often lost custody of their children and government benefits, yet they received little training and were poorly remunerated for the work they did in prison. Women's

health suffered in United States prisons and the treatment of pregnant women, especially during labour and delivery, raised not only health concerns but also concerns about their dignity and human rights.

11. The many physical and mental health problems that characterized the female prison population put those women at high risk of sexual abuse. The inherent imbalance of power between prisoners and their custodians made it clear that sexual contact under those conditions was not consensual. Efforts to investigate such problems should focus on the abuse of power by prison staff and the State rather than on the conduct of the prisoners. It was disturbing that the Department of Justice had failed to allocate any resources from its office which dealt with violence against women to address violence in prisons.

12. It was clear from the Special Rapporteur's report that the United States violated basic standards for the treatment of prisoners, and she urged the Commission to ensure that the text of its draft resolution on violence included State-sanctioned violence and recognized that women did not lose their human rights simply because they had committed offences.

13. Ms. BUNCH (International Women's Tribune Centre), having welcomed the inclusion of the new agenda item as a sign of the Commission's commitment to integrating the gender perspective in its deliberations, said that women's NGOs must have greater access to the United Nations human rights system so that information about violations of women's rights could be more widely disseminated. Unfortunately, women's groups were not always recognized as being active in the area of human rights and were thus overlooked by experts gathering information on the situation in a particular country.

14. She was pleased to note that a number of special rapporteurs had begun to reflect an awareness of gender in their reports to the Commission at its current session. She endorsed the recent suggestion that a gender analysis should be undertaken of the work of the Commission, since that would constitute a useful contribution to the forthcoming special session of the General Assembly. In that connection, she hoped that the Office of the High Commissioner for Human Rights would play an active role in the review of the Beijing Platform for Action as a rights-based document.

15. She commended the Special Rapporteur on violence against women and the Special Rapporteur on extrajudicial, summary and arbitrary executions for drawing attention to the often neglected area of human rights violations based on sexual orientation and identity. The silence that often surrounded that issue in human rights deliberations and the impunity enjoyed by the perpetrators of such violations undermined the rule of law and the principles on which all human rights were based. The Special Rapporteur's report on policies and practices that impacted women's reproductive rights and contributed to, caused or constituted violence against women (E/CN.4/1999/68/Add.4) also explored issues that deserved greater Commission attention.

16. Ms. SCHOLZ (Society for Threatened Peoples) condemned the riots in Indonesia in May 1998 during which more than 1,000 women, including a number of ethnic Chinese women, had been the target of violence and gang rape. It

was suspected that many more victims had not dared to report their rape. It was also thought that those women had been victims of systematic terror that had been planned by certain radical groups, possibly within the military, for political ends.

17. The police and military had taken no action to quell that violence, and the Government had subsequently cast doubt on the reports of rape. She therefore appealed to the Commission to urge the Indonesian Government to ensure that the perpetrators of the rapes were punished and to acknowledge that the intentional mass rape of members of an ethnic minority was a crime of genocide.

18. Mr. NABI FAI (International Islamic Federation of Students Organizations) said that the ongoing disturbances in Kashmir had significantly altered the lives of the women and children there. The entire concept of childhood had been radically revised as children lived in an atmosphere of terror and anxiety. Education had come to a standstill with the killing of teachers and the destruction of the educational infrastructure. Yet the women of Kashmir continued to have confidence in the United Nations, even though the Organization's inaction, had given the occupying authority a sense of impunity.

19. Mr. KAUL (Himalayan Research and Cultural Foundation) said that, in the attempts by Islamic terrorists and mercenaries to drag the Indian State of Jammu and Kashmir back to the middle ages, the main targets were the women and girls of Kashmir, who had been compelled to wear veils, discouraged from attending school and forced to marry terrorists against their will. Rape, torture and killings were common. Women had been forced to serve as sex objects in terrorist training camps, causing them to have frequent recourse to abortion. The increased incidence of violence against women had forced thousands of Kashmiri Muslim families to leave the region, while the number of widows in Kashmir had increased significantly. The international community should take appropriate steps to save those women from the indignities and miseries to which they were subjected.

20. Ms. UPRIMNY (Andean Commission of Jurists) said that, in the Andean region, cultural stereotypes subordinated women to men, and economic factors meant that they had to go out to work at a very early age rather than to school. Their participation in public life was not proportionate to their number and in order to increase their political participation affirmative action, such as the electoral quotas applied in Peru and Venezuela, should become part of an integrated policy.

21. With the entry into force in January 1999 of a law on violence against women and the family in Venezuela, all the countries of the Andean region possessed specific legislation protecting women against violence. However, there was still very few complaints because of lack of awareness, fear and the widespread belief that domestic abuse was a family matter. In order to bring about the genuine elimination of violence against women, it was necessary to implement complementary measures, such as police stations for women, shelters and teams to work on violence in the family. It was also essential to provide material and psychological support for women who had been victims of violence.

22. Turning to sexual violence, she said that the parliaments in Bolivia and Peru were discussing legislative amendments to make the rape of adults a public criminal act rather than a private one. A recent amendment to the Criminal Code in Ecuador had made sexual harassment an offence, and the Peruvian parliament was discussing an amendment to the law regarding sexual harassment in the workplace.

23. Without changes in cultural patterns and greater investment in education and health services, women would have no real opportunity to compete on equal terms with men in the labour market. As for international action, she called on Governments to give favourable consideration to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, so that the corresponding Committee would be able to receive individual complaints.

24. Ms. HANI (International Association of Democratic Lawyers) said that, in the Islamic Republic of Iran, gender discrimination and suppression of women continued unabated and had been legalized. The Commission's Special Rapporteur on the situation of human rights in the Islamic Republic of Iran had reported harassment of young women, stricter dress code requirements for women, and the compulsory segregation of health-care services. Women travelling in trains without a male companion were to have separate compartments set aside for them and, in some Iranian cities, parks were being designated for the exclusive use of women. The Special Rapporteur had also reported that violence against women within the family appeared to be gaining prominence, with frequent stories in the press of horrifying cases of wife abuse. The situation was made worse by discriminatory court sentences depending on whether the victim was a woman or a man.

25. The Ministry of Education of the Islamic Republic of Iran had issued a directive on 4 April 1999, announcing that women teachers were banned from teaching boys older than 10, and that teachers were not allowed to teach students of the opposite sex in language classes.

26. In February 1998, the Supreme Council for Cultural Revolution had opposed Iran's adherence to the Convention on the Elimination of All Forms of Discrimination against Women, and a press law passed in May 1998 had stated that it was a punishable offence to create conflict between men and women by defending women's rights "outside religious and legal standards".

27. She then quoted from a number of articles of Iranian law to the effect that the President of the country had to be a man, that judges were elected from among men, that the husband was the head of the household, that he could divorce his wife whenever he chose to, that he had the right to prevent her from engaging in a profession which went against the interests of the family or the man's pride, and that if she refrained from "delivering her nuptial duties" without legitimate reason she did not deserve to receive food, accommodation or clothing.

28. She thus called upon the Commission to condemn the Islamic Republic of Iran for its gender-based policies in a resolution couched in the strongest possible terms.

29. Mr. YOSHIDA (Asian Women's Human Rights Council) called upon Governments and NGOs to do their utmost to ensure that the Government of Japan accepted and implemented the recommendations contained in the appendix to the McDougall report (E/CN.4/Sub.2/1998/13), and passed legislation to provide individual compensation to the former "comfort women". The Government of Japan had not so far acknowledged that the issue of "comfort women" was a war crime committed by the State, had rejected the appendix in question on the grounds that it could not accept its legal interpretations, and had stated that the Sub-Commission was not a forum to discuss or make decisions on liability and specific legal issues.

30. Ms. SCHOLZ (Human Rights Advocates) said that women comprised the majority of the 50,000 people who died in the world every day because of complications due to a lack of adequate housing. Women in unstable and inadequate housing conditions were virtual prisoners when it came to domestic violence, for they had nowhere else to go. There was a clear causal relationship between violence against women and violation of the right to adequate housing.

31. Nowhere was that relationship more apparent than in the United States of America, where between 50 and 60 per cent of all homeless women were homeless because they were escaping from an abusive relationship. The problem existed throughout the world and women had particular difficulty in escaping from domestic abuse in countries where they did not have any property rights.

32. Her organization strongly supported the Sub-Commission's request to the Special Rapporteur on violence against women, to examine the link between violence and the lack of adequate housing, and called upon the Commission to reiterate that request and urge the various States to acknowledge and analyse the correlation.

33. Governments must no longer view domestic violence as an acceptable part of private family life but should enact laws to punish batterers by evicting them, rather than the abused, from the family home. Shelters and services should be established for the immediate care of battered women, and policies should be implemented so that women could acquire property and security of tenure, thereby eliminating discrimination in housing.

34. Ms. TRIMECHE (National Union of Tunisian Women) said that greater awareness of women's rights was required. An international plan should be drawn up and adopted by the United Nations to publish women's rights and to establish mechanisms to ensure that they were enjoyed. There should be genuine equality between the sexes, particularly in the labour market and in decision-making. Adoption of the principle of equal opportunity, however, would not in itself lead to the elimination of discrimination, and she called upon all governments to adopt not only legislation but also the necessary implementing mechanisms.

35. In coping with the results of globalization, women's rights had not been sufficiently borne in mind, and had not been treated as a matter of priority at the national level and she called for greater solidarity between women in the North and the South, and for all countries to establish cooperation based on reciprocal respect and greater mutual understanding.

36. Ms. MARWAH (International Institute for Non-aligned Studies) said that 70 per cent of the people living in poverty were women. They constituted the majority of the world's illiterates, played only a very limited part in economic and political decision-making, occupying only 10 per cent of parliamentary seats and making up less than 5 per cent of the world's heads of States, and in many countries were not treated as the equals of men in property rights, inheritance rights, marriage and divorce laws, or in the right to acquire nationality, manage property or seek employment.

37. As a result of globalization and the introduction of free markets, women in developing countries were required to add to the family income without being given any relief from their traditional responsibilities of running the home. It was important not to be deceived into thinking that modernization, the spread of education and increased job opportunities for women would of themselves end their exploitation. For that purpose, intensive efforts were required at all levels, and especially with regard to the dissemination of information and creation of awareness.

38. Ms. SHAIMIAN (International Institute for Peace) said that, every nine seconds, a woman was physically abused by her intimate partner, but that, even in an advanced country like the United States of America, only one in a hundred ever reported the abuse suffered. In developing countries, where women had less access than men to education, health care and food and were grossly underrepresented politically, they suffered a high level of domestic violence due to the widespread patriarchal system.

39. In Pakistan, women were the most oppressed section of society, and nowhere more so than in the feudal and tribal social systems in which hundreds of women were killed every year in the name of honour. Although Pakistan had twice had female Prime Ministers, the status of women in the country had hardly improved: only 13.5 per cent of Pakistani women were economically active, while the female literacy rate stood at 8 per cent. More than 300 cases of wife beating had been reported from the cities of Rawalpindi and Islamabad alone in 1997, and more than 300 deaths by "stove burning" had proved to be deliberate, most of the victims being young married women and most cases being reported neither by the police nor by the hospitals.

40. Ms. MALONI (Afro-Asian People's Solidarity Organization) said it was necessary to look no further than Afghanistan to see how an entire society could reduce its women to captivity without chains. The Taliban had not only removed women from every field of economic activity but had made sure that the future generations of women remained ignorant. In most countries there were legal processes to protect women and enable them to seek redress, but what could they do in Afghanistan, where the law itself declared that they were inferior to men. Even Pakistan, a democracy, enacted legislation reducing the status of women to second-class citizens, and allowing the primitive tribal custom of honour killings to continue.

41. In poor countries, economic factors drove families to sell their children into prostitution, while the developed countries were flooded with so-called "girlie magazines".

42. Women's organizations should undertake studies of the impact of terrorism on the mothers of child soldiers. It was amazing that the ideologues of such terrorist groups had no qualms about sending children to their deaths in the name of a cause they did not even understand, yet themselves clamoured for treatment in the world's best hospitals whenever they were unwell.

43. Ms. KRISNAWATY (Third World Movement Against Exploitation of Women) said that hundreds of people had died in ethnic violence in Indonesia even during the Commission's current session. Great suffering had been caused to women as mothers and wives of the victims and as victims themselves. Dozens of women had been sexually assaulted in the former military operation zones, despite categorical denials from the military. Many more had been subjected to violence in the home because of the increased anxieties generated by the economic crisis. Women also experienced physical and mental problems, as well as material losses, in areas of Indonesia where large-scale violence had occurred.

44. Indonesia had ratified the Convention on the Elimination of All Forms of Discrimination Against Women, but its implementation had been very poor. The Indonesian legal system regarded women as second-class citizens. Her organization thus urged the Commission to put pressure on the Government of Indonesia to take full responsibility for all cases of violence against women, to deal with its consequences and to prevent its recurrence. The Commission should monitor implementation of all the recommendations made by the Special Rapporteur on violence against women in her report (E/CN.4/1999/68/Add.3), especially with regard to the establishment of a Victims and Witness Protection Programme, serious prosecution of the perpetrators and the withdrawal of the military from the civil and political realm.

45. Mrs. ARIFIN (Asian Legal Resource Centre) said that the Indonesian province of Aceh had been declared a Military Operation Zone from 1989 to 1998. During that period, as noted by the Special Rapporteur on violence against women in her report (E/CN.4/1999/68/Add.3), sexual harassment, rape and other forms of violence against women had been used as an instrument of torture and intimidation by certain elements in the military. The women had suffered trauma and were still intimidated by the military.

46. The Commission should urge the Government of Indonesia to take full responsibility for the outrages, to bring the perpetrators to justice and to rehabilitate the victims. It should also monitor compliance with the Special Rapporteur's recommendations, especially concerning the establishment of a witness protection programme and the withdrawal of the military from civil and political affairs.

47. Mrs. YEBLO (Netherlands Organization for International Development Cooperation) said that Irian Jaya/West Papua had been incorporated into Indonesia in 1963. Since then, the Indonesian Government's multinational mining, forestry and plantation development programmes had resulted in impoverishment, pollution and oppression for the people of the territory. Security measures had deprived them of freedom of expression and association. Indigenous women had been subjected to coercive family planning, rape and other sexual violence. The National Human Rights Commission had documented the atrocities committed by the Indonesian military. The Special Rapporteur

on violence against women had not been allowed to visit Irian Jaya, but she had confirmed that testimony from victims indicated that sexual violence against women had been committed by the security apparatus. She urged the Commission to bring pressure to bear on the Government of Indonesia to allow the Special Rapporteur to visit the territory.

48. Mr. LITTMAN (Association for World Education) said that the term "traditional or customary practices" was a shameful euphemism for the crime of female genital mutilation, which was performed on over one million girls and women every year. There was no religious justification for such practices, which predated Islam. Female genital mutilation had spread through emigration to Europe and the United States, where court cases and harsh sanctions had brought it to public attention.

49. Côte d'Ivoire, Egypt, Ethiopia, Ghana, Burkina Faso, Djibouti, Guinea, Togo and the United Republic of Tanzania had legislated against female genital mutilation, while draft legislation had been tabled in Uganda and lobbying had begun in Nigeria. A 1946 Sudanese law prohibiting infibulation had never been enforced and that extreme form of female genital mutilation was still performed on 82 per cent of Sudanese women.

50. Awareness-raising programmes, especially in rural areas, were necessary for both men and women. His organization thus urged the Commission to adopt draft decision 3 proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and entitled "Traditional practices affecting the health of women and the girl child" (E/CN.4/1999/4).

51. Ms. DIOP (African Commission of Health and Human Rights Promoters) said that there were some 6 million refugees and some 15 million internally displaced persons in Africa alone. Women and children in conflict areas were often deliberately targeted by belligerents. Recent conflicts in Africa, particularly in Sierra Leone, had been characterized by widespread atrocities against civilians and the use of child soldiers. The country had relapsed into violence, women's movements had been dispersed and mass population displacements had occurred. Women's Forum, the umbrella organization for women's NGOs in the country, had taken action on behalf of the women who had suffered rape, amputation and beatings, whose families had been killed or whose children had been abducted. She urged the Commission to take the necessary steps to promote a peaceful future in Sierra Leone and throughout Africa.

52. Ms. SHIN (Asia Pacific Forum on Women, Law and Development) said that the Special Rapporteur on violence against women had published some excellent reports, not only describing the atrocities committed against women but exploring their causes and consequences and giving recommendations to the United Nations, to national Governments and to NGOs. Her work and that of the other special rapporteurs was invaluable.

53. It was vital, however, that Governments should accept and implement the measures recommended and the Commission should use them to do so. For example, the Special Rapporteur on violence against women had recommended in an earlier report (E/CN.4/1996/53/Add.1) that Japan should accept legal responsibility for military sexual slavery in wartime, pay compensation to

individual victims, ensure full disclosure of documents, make a public apology, amend education curricula and punish the perpetrators. Likewise, the Sub-Commission's Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict had concluded in her report (E/CN.4/Sub.2/1998/13) that the Japanese Government was legally liable for grave violations of human rights and humanitarian law during the Second World War. The Government of Japan had, however, ignored their recommendations.

54. Ms. MIR (International Peace Bureau) said that systematic rape and sexual abuse of women in Bosnia and Herzegovina had occurred as part of an ethnic cleansing campaign. The situation of women in Kosovo was reminiscent of that scenario. Women and girls in Indian-occupied Jammu and Kashmir were humiliated and terrorized by Indian military and paramilitary forces. The objective in all three cases was to shame the targeted community into silence.

55. In India, low-caste Dalit (untouchable) women and girls were frequently subjected to sexual abuse by middle- and high-caste groups and Hindu fundamentalist groups had been guilty of systematic violence against women who had converted to Christianity. Women were also the prime targets in communal violence against Muslim, Christian or Sikh minorities. Social practices such as dowry deaths, bride-burning and female infanticide persisted and domestic violence frequently resulted in "honour killings".

56. Cases of violence against women were seldom prosecuted. Indeed Indian police and State agencies had often abetted the violence, particularly in the context of caste or communal strife. In many cases, women had been raped and tortured in police custody. Her organization urged the Special Rapporteur on violence against women to visit India and make specific recommendations to its Government.

57. Ms. PEREIRA (Federation of Cuban Women) said that the ideals of justice and social change in Cuba were inextricably bound up with the ideals of national independence and defence of the economy. Cuban women were firmly committed to a social project that involved them as prime actors in the shaping of their destiny. Determined action would be taken in the next century to achieve full equality for women in the family and society and equal access to high office. While fighting for equality, Cuban women had also participated in the struggle against the economic, commercial and financial blockade imposed on the country for over 30 years by the most powerful State on earth.

58. Ms. ZHANG Ying (All-China Women's Federation) said that her organization ran information and education campaigns on laws and regulations that had a bearing on women's rights and interests such as the Labour Law, the Law on Compulsory Education and the Inheritance Law. It monitored law enforcement and the drafting of legislation and had been instrumental in having the Law on the Protection of Women's Rights and Interests enacted. It also provided legal counselling to women victims of violence and operated hotlines for women with queries concerning their rights.

59. Its publications exposed and condemned acts of violence against women and helped to ensure that the perpetrators were punished. Steps were taken to prevent domestic violence and to promote stable family relations and a healthy

social environment. Literacy, education and training programmes for women and poverty alleviation programmes had been launched. School-age girls, especially in rural areas, were given access to schooling and training programmes. A total of 740,000 persons had been assisted over the past 10 years.

60. Ms. EXPOSTO (Asian Buddhist Conference for Peace) said that, since 1975, the Indonesian State had sanctioned violations against East Timorese women including rape and other forms of sexual violence, forced marriages, the use of women as sex slaves and forced prostitution. Bishop Ximenes Belo, the Nobel Peace Laureate, had denounced the coercive family planning programme and the forced sterilization of Timorese girls and women.

61. Having reported specific cases of murder and rape that had occurred since the fall of the Suharto Government, during the period of so-called democratization, she said that the Special Rapporteur on violence against women stressed in her report (E/CN.4/1999/68/Add.3) that rape continued in East Timor and that members of the Indonesian military continued to use violence against women with impunity. The policy of the Indonesian authorities was to intimidate the victims and their families in order to prevent them from reporting the crimes. She urged the Indonesian Government to comply with the Special Rapporteur's recommendations, particularly that concerning human rights monitoring in East Timor by international human rights organizations.

62. Although Indonesian laws were adequate in respect of violence against women, implementation mechanisms were lacking. When crimes such as rape were reported, the investigations were conducted in such a way as to shame the woman and lead her to believe she was at fault.

63. Ms. STOTHARD (Aliran Kesedaran Negara National Consciousness Movement) said that, in times of crisis and conflict, women were targeted for sexual violence as a means of demoralizing their communities. The economic and social advancement of women was particularly difficult under military dictatorships. Widespread violence against women in Myanmar had been well documented. Women Members of Parliament had been forced to resign and had been detained. A prominent woman labour leader was serving a 25-year prison sentence for giving a telephone interview to the British Broadcasting Corporation (BBC). There were also some 100 women prisoners of conscience. The democracy leader, Aung San Suu Kyi, continued to suffer severe restrictions on her movements and communications with colleagues and family members. She had even been prevented from speaking to her dying husband on the telephone.

64. The military should immediately cease its aggression in the ethnic areas of Myanmar and end its policy of supporting violence against women. She feared that the general acceptance of violence in the community had led to increased domestic violence. The regime should release all political prisoners, including women, reopen the universities and colleges, divert expenditure from the army into health and education, commence genuine dialogue with the elected Government, convene Parliament and allow the development of independent women's organizations and NGOs. She counted on the support of the States Members of the United Nations to promote those objectives.

65. Ms. MUNSHI (European Union of Public Relations) said that, in tribal societies, men and women shared the burden of existence in equal measure. Some societies, indeed, were matriarchal. Yet economic imperatives in some countries and a deliberate perversion of religion in others had prevented women from realizing their full potential. The women of Pakistan had much to fear if the Taliban returned and sought to impose a regime like that in Afghanistan. In Japan, women were only just beginning to assert themselves in the workplace against entrenched prejudices. Women politicians there were still fighting, as in India, for fair representation in the political process. Nonetheless, women had been in the forefront of the struggle against those who would usurp the rights of individuals.

66. Awareness was the key to freedom. A veiled woman working in the home, if she was aware of her identity and rights, could be as free as any woman in the workplace; but such awareness came from education and it was astounding that some rich societies placed so many restraints on women. The denial of female sexuality, as manifested in the practice of female circumcision, seemed absurd in view of the fact that male-dominated societies revered women only as sexual creatures. Women must be allowed to be educated and to fulfil their potential.

67. Ms. FERNANDO (Franciscans International) said that, in many parts of the world, the illiteracy rate among women was higher than among men and in some cultures, it was still argued that education for girls and women was unnecessary. Such attitudes had lost any historical relevance that they might once have had.

68. Globalization compounded the problem: poor families often had to choose which of their children should be educated, and the choice was usually the boy. The structural adjustment programmes enforced by the international financial institutions continued to deprive many a girl of her right to education. The arms trade and consequent wars were also responsible for the growing illiteracy among women, since 80 per cent of the world's refugees were women and children.

69. Many Governments still failed to reform laws and practices that discriminated against women. Some openly challenged the notion that universal human rights extended to women. The Taliban confined women to their homes and cut off their access to education and health care. Silence in the face of such human rights abuse was itself a form of violence. She proposed, therefore, the establishment of an international day for the education of the girl child in the hope that it might contribute to the coming of a world in which all rights were for all people.

70. Ms. ARIF (Interfaith International) said that men in many societies were concerned not about the suffering caused by violence against women but about who caused it. In the Middle East, parts of South Asia and parts of Africa, "honour killings" - which had nothing to do with morality or a woman's virtue - were punished with sentences of up to two years in prison rather than the normal life sentence for murder. In Algeria, innocent civilians, including women and children, were killed by death squads in the name of Islam. Women in the Sudan faced daily atrocities as a result of the war:

they were killed, starved to death or enslaved. Their rights were severely curtailed in every sphere of life and they risked flogging if they did not comply with the so-called Muslim dress codes.

71. Female genital mutilation, which was practised within a large area stretching from the Red Sea to the Atlantic Coast, was the most vicious form of violence against women. The effects were irreversible and caused a lifetime of physical and mental suffering. The victim was denied her full sexual potential: that, of course, was its purpose.

72. In the United States of America abuse was committed in 25 to 35 per cent of homes and 4,000 women died from such domestic violence every year. A woman was raped every two minutes. Violence against women would be eradicated only if masculine behaviour could be changed.

73. Ms. BATHA (Freedom House) said that, in Pakistan, the evidence of a Christian woman was valued at one quarter that of a Muslim man and her value in compensatory damages in a murder case was one eighth. Moreover, her evidence was not admissible in cases filed under the Shariah, although she was subject to its jurisdiction. Four male witnesses were required for rape to be proved. If that was not possible, the victim could face a charge of adultery under the Hadood Ordinance. Over 75 per cent of rape victims suffered such a fate. The Government of Pakistan should uphold the constitutional guarantees of equality before the law, abolish the Hadood Ordinance, ensure the integrity of the system of registering marriages and expand the system of women's police stations and safe houses.

74. Her organization was concerned at the disturbing practice in Egypt of abducting young Christian women for conversion to Islam. Financial incentives could be offered or the women were compromised. They were raped and forced to convert, whereupon they had no legal recourse. In extreme cases, women had been murdered for refusing to convert. The Egyptian authorities should condemn such practices, take steps to protect the right to freedom of religion, introduce a programme of education to encourage respect for religious minorities and the rights of women and undertake a full investigation of all such crimes.

75. Severe human rights violations were committed in China in pursuit of the one-child policy. Reports were regularly received of forced terminations, even in the eighth or ninth month of pregnancy, and of forced sterilization. Draconian measures were used to enforce the policy. The Commission should prevail on the Government of China to put an end to such serious abuses.

76. Mr. SISSON (International Fellowship of Reconciliation) said he noted that the Japanese Government had acknowledged its moral but not its legal responsibility for the military sexual slavery, in violation of international law, sponsored by the Imperial Government during the Second World War and he also noted that several of the United Nations thematic mechanisms did not agree with that assessment. In a related development, the ILO Committee of Experts on the Application of Conventions and Recommendations had confirmed that military sexual slavery constituted a violation of the Forced Labour Convention, 1930 (No. 29), which the Government of Japan had signed in 1932 and had urged the Government to assume its legal responsibilities in that

regard. It had also addressed, in that connection, the issue of the massive wartime conscription of labour from China and Korea to work for private industry in Japan in deplorable conditions.

77. He thus called upon the Commission to adopt draft resolution 4, recommended to it by the Sub-Commission, and explore the possibility of setting up an international truth and reconciliation commission to implement the recommendations contained in the report of the Sub-Commission's Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed combat (E/CN.4/Sub.2/1998/13).

78. Ms. OSERMEN (Inter-African Committee on Traditional Practices Affecting the Health of Women and Children) said that violence against women was the reflection of a value system that maintained the patriarchal power structure within which women were subjugated and abused on a monumental scale. One example was the customary practice of female genital mutilation. In her own country, Nigeria, 40.5 per cent of women had been thus mutilated. In addition, early marriage, widowhood rites and nutritional taboos were practised. Her Committee's eradication strategy included providing education and information for opinion leaders, social workers, and women leaders, through workshops and seminars as well as organizing symposiums for legislators and religious leaders. Negotiations were in progress with the Organization of African Unity (OAU) to strengthen the 1998 Addis Ababa Declaration on Violence Against Women, and with United Nations bodies and delegates.

79. Some headway had been made. A number of African countries had adopted legislative measures against female genital mutilation, while the Secretary-General's report (A/53/354) showed the extent of the problem and the progress made in tackling it. Serious consideration should be given to implementing his conclusions. It was not only legislation that needed to be changed, however, but also social attitudes. In that connection, immigrants into France and other Western countries should, on arrival, be informed about their status and the implications of some of their customary practices. A holistic approach was required.

80. Mr. KAZMI (Al-Khoei Foundation) said that, in Afghanistan, Islamic rulings were erroneously used to justify violations of women's rights. While traditional social practices were not intrinsically inimical to respect for human rights, the Taliban's approach ran counter to the true spirit of Islam. There were 40,000 widows in Kabul, who led a life of daily humiliation. Arbitrary beatings were commonplace and the incidence of rape was high. They were denied the right to work and thus to an independent income, to health care and to education. There was an urgent need for humanitarian assistance to minimize the damage done to a generation of Afghan women, both in Afghanistan and in Pakistan, where growing evidence suggested that the subjugation of Afghan women refugees continued.

81. With regard to the situation in Kosovo, the use of rape as an instrument of war had been well documented during the conflict in Bosnia. There was no reason to suppose that the Serbian authorities had changed their attitudes. There was therefore every reason to be concerned about the plight of ethnic Albanian women. Again, there were implications for the longer term: the

women's suffering would not end with the conflict. Rehabilitation and specialist support should be made immediately available and those responsible should be punished.

82. Ms. PARKER (Women's International League for Peace and Freedom) said she was gravely concerned about the widespread and systematic rape of ethnic Chinese women in Indonesia during the riots of May 1998. The evidence suggested that they had been specifically targeted and that the police had been involved. She also drew attention to the women of the Pacific who had been subjected to the effects of nuclear testing. The Special Rapporteurs on illicit movement and dumping of toxic waste and on violence against women, its causes and consequences, should determine the impact of nuclear radiation on such women, and particularly on their reproductive rights.

83. Monitoring was an essential tool in promoting human rights. Her organization had been monitoring the degree of gender integration evidenced during the past two sessions of the Commission. It was alarming that, in 1998, 55 per cent of the speakers had made no reference to women; the figure to date for the current session was 78 per cent. The debate on the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had shown even less gender awareness. A gender perspective must be included in the planning, as well as in the Conference itself. The High Commissioner for Human Rights should make gender awareness training available to all participants in the Commission, including the interpreters.

84. Ms. CAMACHO (Indian Movement "Tupaj Amaru") said that globalization and structural adjustment programmes produced social inequalities affecting women, in particular, exploiting them as workers and as sexual objects. Engaged mostly in menial work, they were often forced to emigrate and work abroad, often as illegal immigrants, in terrible working conditions and insecurity, or as prostitutes. Girls were most likely deprived of schooling and illiteracy was a serious educational problem in developing countries, in which more than 50 per cent of women were illiterate, a figure that rose to 90 per cent for those over 50. Women also bore the brunt of cuts in spending on social welfare and suffered most from the effects of unemployment. Moreover, with their low wage rates, they were blamed for male unemployment and reduced male wages.

85. Indigenous women were on the bottom rung of the social, economic and cultural ladder. Many lived in extreme poverty as a result of the flight from the land. It was imperative that real alternatives should be found for the oppression suffered by women. Their role must undergo a complete transformation to meet the economic, political and social development needs of the next millenium.

86. Millions of women and children also suffered the consequences of wars promoted by the arms industry. Bombs were currently falling on innocent women and children in the Federal Republic of Yugoslavia. Her organization condemned the military aggression by the North Atlantic Treaty Organization (NATO) against a sovereign State and called for its unconditional cessation.

The meeting rose at 6 p.m.